



Bureau for Private Postsecondary and Vocational Education
1625 North Market Boulevard, Suite S-202, Sacramento, CA 95834
P.O. Box 980818, West Sacramento, CA 95798-0818
(916) 574-7720
www.bppve.ca.gov



Questions and Answers

Regarding the Inoperative Date (Sunset) of the Bureau for Private Postsecondary and Vocational Education (Bureau)

May 14, 2007

The Private Postsecondary and Vocational Education Reform Act (Act) will become inoperative on July 1, 2007. Current law (Education Code section 94999) provides for a sunset date of July 1, 2007 and a repeal date of January 1, 2008.

What does it mean that the Act will become inoperative?

This means that, as of July 1, 2007, institutions will no longer need to seek or maintain approval or registration from the Bureau to operate a private postsecondary educational institution legally in California. However, the current Act remains in full force and effect until July 1. Failure to comply with the provisions of the Act is grounds for discipline under existing law and may affect licensure under future law as well.

How does the Bureau's sunset affect the ability of candidates attending Bureau-approved institutions to qualify to sit for various licensing examinations administered by boards within the Department?

The boards may have the authority to continue to recognize graduates of schools that were approved by the Bureau even after the July 1, 2007 inoperative date. For additional information, you may wish to contact the particular licensing board directly.

After July 1, what do I do if I want to open a new institution? Change the location of an existing institution? Want to add a branch location? Add a program or course? Certify a new instructor?

As of July 1, 2007, institutions will no longer need to seek or maintain approval or registration from the Bureau to operate a private postsecondary educational institution legally in California. This includes changing locations, adding a branch location, adding a course, or obtaining certificates of authorization for service for instructors.

Currently I am required to collect a STRF fee. Am I obligated to continue to collect these fees after July 1, 2007?

As of July 1, 2007, the Act will become inoperative, including the STRF fee collection requirements. Under existing law, this means that STRF fees will not need to be collected after July 1, 2007.

After July 1, 2007, do I need to maintain or renew my approval to operate?

As of July 1, 2007, institutions will no longer need to seek or maintain approval or registration from the Bureau to operate a private postsecondary educational institution legally in California. We recommend that you review your educational program requirements with other related state or federal agencies to ensure that the cessation of the Bureau's functions will not otherwise impact the educational programs that you offer.

Will there be a new Bureau?

This is a difficult question to answer. Currently, two legislative proposals have been introduced. The first bill is Assembly Bill (AB) 1525 (Cook). This bill is an urgency bill. This means that the bill would become effective immediately upon enactment. One of the stated purposes of this bill is to provide that institutions that have received approval and instructors that have been certified as of June 30, 2007 continue to retain those licenses until July 1, 2008. If enacted, this provision would allow institutions to retain their approvals for the purpose of interpreting laws that require graduation from a Bureau-approved institution as a qualification for licensure. This is intended to cover the anticipated time the Bureau is not operative. There are other provisions in this bill that may affect institutions after the Bureau becomes inoperative.

It is important to note that AB 1525 can be modified at any time and is subject to approval by both houses of the Legislature and must be signed by the Governor.

The second bill, Senate Bill (SB) 823 (Perata), is the reform act intended to create a new agency to succeed the Bureau on January 1, 2008. Currently, the bills are mutually dependent; each bill must be enacted for the other to become operative.

We recommend that you read and track these two legislative proposals. You can subscribe to receive electronic updates on these bills at <http://www.leginfo.ca.gov/bilinfo.html>.

You can also subscribe to receive updates regarding the Bureau's sunset at <http://www.bppve.ca.gov/subscribe.htm>.